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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/007,364
		Filing Date	November 5, 2001
		First Named Inventor	Aaron V. Kaplan
		Group Art Unit	3731
		Examiner Name	Julian W. Woo
Total Number of Pages in This Submission		Attorney Docket Number	0313-0003.01

### ENCLOSURES (check all that apply)

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Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	
Date	August 30, 2004

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PATENT  
Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Aaron V. Kaplan, et al.  
Serial No.: 10/007,364  
Filed: November 5, 2001  
Group Art No.: 3731  
Examiner: Julian W. Woo  
For: METHODS AND APPARATUS FOR  
TRANSPERICARDIAL LEFT  
atrial appendage closure

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PATENT  
Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
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NAME Kathleen Johnson

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P.O. Box 1450  
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INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the documents listed on the attached form, which the documents may be material to the examination of this application. Copies of these documents are enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the documents herein is not to be construed as an admission that any subject matter disclosed in the documents

is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was first called to Applicant's attention in an Office Action dated August 18, 2004 in related Application Number 10/105,978 filed on March 25, 2002. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under

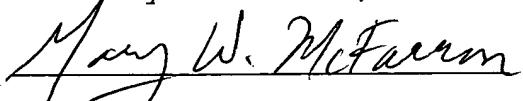
§1.17(p) is not required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Date: August 30, 2004

Respectfully submitted,

By:



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Registration No. 27,357

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<p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>		<b>Complete if Known</b>	
Substitute for form 1449/PTO		Application Number	10/007,364
		Filing Date	November 5, 2001
		First Named Inventor	Aaron V. Kaplan
		Art Unit	3731
		Examiner Name	Julian W. Woo
		Attorney Docket Number	0313-0003.01
Sheet	1	of	1

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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